

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**EMPLOYERS & CEMENT MASONS #90
PENSION FUND and EMPLOYERS &
CEMENT MASONS #90 HEALTH &
WELFARE FUND,**

Plaintiffs,

vs.

**JIM REAGAN d/b/a JM REAGAN
CONCRETE,**

Defendant.

No. 05-CV-332-DRH

MEMORANDUM & ORDER

HERNDON, District Judge:

The Court takes up this matter for purposes of docket control. On June 24, 2005, Plaintiffs moved for entry of default (Doc. 4) and default judgment (Doc. 5). On June 27, 2004, the Clerk entered default against Defendant Jim Reagan d/b/a Jim Reagan Concrete. (Doc. 6.) On July 1, 2005, Defendant Jim Reagan submitted a *pro se* letter denying he was liable to Plaintiffs. (Doc. 7.) The Court **CONSTRUES** Defendant Reagan's letter as an answer to Plaintiffs' complaint. (Doc. 7.) The Court **SETS ASIDE** the Clerk's entry of default (Doc. 6) and **DENIES** Plaintiffs' motion for default judgment (Doc. 5).

IT IS SO ORDERED.

Signed this 16th day of August, 2005.

/s/ David RHerndon
United States District Judge